

1 MELINDA HAAG (CABN 132612)  
United States Attorney

2 ALEX G. TSE (CABN 152348)  
3 Chief, Civil Division

4 REBECCA A. FALK (CSBN 226798)  
5 Assistant United States Attorney

6 450 Golden Gate Avenue, Box 36055  
7 San Francisco, California 94102-3495  
Telephone: (415) 436-7022  
FAX: (415) 436-6748  
rebecca.falk@usdoj.gov

8 Attorneys for Respondents

9 KEVIN M. CRABTREE (CSBN 238162)  
10 Law Office of Robert L. Lewis  
428 - 13th Street, 7th Floor  
11 Oakland, CA 94612  
T: (510) 834-1288  
12 F: (510) 834-0431  
[www.immigrantdefense.com](http://www.immigrantdefense.com)

13 Attorney for Petitioner

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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN FRANCISCO DIVISION

18 JOSELITO CASIMIRO, ) CASE NO. 13-01936 RS  
19 Plaintiff, )  
20 v. ) STIPULATION AND [PROPOSED] ORDER  
21 ERIC H. HOLDER, JR. ATTORNEY ) REGARDING BRIEFING SCHEDULE AND  
GENERAL, JANET NAPOLITANO, ) HEARING DATE  
SECRETARY, DHS, JOHN MORTON, )  
ASSISTANT SECRETARY USICE; )  
TIMOTHY AIKEN, FIELD OFFICE )  
DIRECTOR, USICE,  
25 Defendant.

1 Petitioner Joselito Casimiro (“Petitioner”) and respondents Eric Holder, Jr., Janet Napolitano,  
2 John Morton and Timothy Aiken (“Respondents”), by and through their respective counsel, hereby  
3 stipulate as follows:

4 1. On April 29, 2013, Petitioner filed a Petition For A Writ of Habeas Corpus claiming that  
5 his counsel failed to file a Ninth Circuit petition for review, including a Request for Temporary  
6 Restraining Order and Motion for Stay of Removal (Dkt. No. 1);  
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8 2. On the same day, this Court entered a temporary restraining order staying Petitioner’s  
9 deportation (Dkt. No. 2);  
10

11 3. On May 1, 2013, pursuant to this Court’s Order, Respondents file a Return stating their  
12 position that this Court lacks jurisdiction over this matter (Dkt. No. 3);  
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14 4. On May 1, 2013, Petitioner filed an Amended Petition For A Writ of Habeas Corpus  
15 (Dkt. No. 5, 6);  
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17 5. On May 2, 2013 Petitioner filed a Motion to Stay Removal (Dkt. No. 7);  
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19 6. On May 2, 2013, the parties appeared for a hearing before this Court, at which time this  
20 Court requested briefing on Petitioner’s Amended Petition For A Writ of Habeas Corpus and Motion to  
21 Stay Removal, and that the parties agree on a hearing date;  
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23 7. The parties have agreed that Respondents will file their Return to Petitioner’s Amended  
24 Petition For A Writ of Habeas Corpus and Motion to Stay Removal (Dkt. No. 5, 6, 7) on May 29, 2013  
and Petitioner will file his Traverse on June 12, 2013;  
25

26 8. The parties have further agreed that this matter should be set for hearing with this Court  
27 on June 19, 2013 at 2 p.m.; and  
28

29 9. Respondents agree that they will not remove Petitioner to the Philippines until after the  
30 hearing set for June 19, 2013.  
31

1           **THEREFORE, IT IS HEREBY STIPULATED** by and between Petitioner and Respondents  
2 that Respondents will file their Return to Petitioner's Amended Petition For A Writ of Habeas Corpus  
3 and Motion to Stay Removal (Dkt. No. 5, 6, 7) on May 29, 2013 and Petitioner will file his Traverse on  
4 June 12, 2013 that this matter should be set for hearing with this Court on June 19, 2013 at 2 p.m.; and  
5 that Respondents will not remove Petitioner to the Philippines until after the hearing set for June 19,  
6 2013.  
7

8           Dated: May 3, 2013

9           Respectfully Submitted,

10           \_\_\_\_\_  
11           /s/ *Kevin M. Crabtree*  
12           KEVIN M. CRABTREE  
13           Attorney for Petitioner

14           Dated: May 3, 2013

15           Respectfully Submitted,

16           \_\_\_\_\_  
17           /s/ *Melinda Haag*  
18           MELINDA HAAG  
19           United States Attorney

20           \_\_\_\_\_  
21           /s/ *Rebecca A. Falk*  
22           REBECCA FALK<sup>1</sup>  
23           Assistant United States Attorney  
24           Attorney for Respondents

25           **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

26           DATED: 5/6/13

27  
28             
HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT JUDGE

1 I, Rebecca A. Falk, hereby attest, in accordance with the Civil L.R. 5(i)(3), the concurrence in  
the filing of this document has been obtained from the other signatory listed here.